

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEVELOPERS SURETY AND INDEMNITY  
COMPANY,

Plaintiff,

vs.

ADAMS RESIDENTIAL CONTRACTING,  
INC.,

Defendant.

No. 2:20-cv-00912-BJR

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

**NOTED FOR HEARING ON  
SEPTEMBER 18, 2020**

THIS MATTER having come before the Court on Plaintiff's Motion for Summary Judgment, and the Court having reviewed the records and files herein, including:

1. Plaintiff's Motion for Summary Judgment;
2. Declaration of Erika Floyd with attached Exhibits 1 – 4;
3. Declaration of Paul S. Smith with attached Exhibits 1 – 2;
4. \_\_\_\_\_;
5. \_\_\_\_\_; and
6. \_\_\_\_\_, it is

hereby

[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT – 1

Cause No.: 2:20-cv- 00912-BJR

2750700 / 1310.0024

**FORSBERG & UMLAUF, P.S.**

ATTORNEYS AT LAW  
901 FIFTH AVENUE • SUITE 1400  
SEATTLE, WASHINGTON 98164  
(206) 689-8500 • (206) 689-8501 FAX

1 ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Summary  
2 Judgment is hereby GRANTED.

3 DONE this \_\_\_\_\_ day of September, 2020.

4  
5 \_\_\_\_\_  
6 THE HONORABLE BARBARA J. ROTHSTEIN

7 Presented by:

8 FORSBERG & UMLAUF, P.S.

9 By: *s/ Paul S. Smith*

10 Carl E. Forsberg, WSBA # 17025

11 Paul S. Smith, WSBA #28099

12 Forsberg & Umlauf, P.S.

13 901 Fifth Ave., Suite 1400

14 Seattle, WA 98164

15 Phone: (206) 689-8500

16 Email: [cforsberg@foum.law](mailto:cforsberg@foum.law)

17 Email: [psmith@foum.law](mailto:psmith@foum.law)

18 Attorneys for Plaintiff Developers Surety and Indemnity Company

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT on the following individual via the Court's ECF system which will give notice to:

Ms. Linda L. Foreman  
Foreman Sturm & Thede, LLP  
5825 60th St. S.E.  
Snohomish, WA 98290-5104  
Email: [linda@foremansturm.com](mailto:linda@foremansturm.com)

**SIGNED** this 27<sup>th</sup> day of August, 2020 at Everett, Washington.

s/ Denise Mary Pope  
Denise Mary Pope